

THE FRANKLIN COUNTY BOARD OF SUPERVISORS HELD THEIR ORGANIZATIONAL MEETING ON MONDAY, JANUARY 5TH, 2009, AT 4:00 P.M., IN THE BOARD OF SUPERVISORS MEETING ROOM IN THE COUNTY COURTHOUSE.

THERE WERE PRESENT: Wayne Angell
Russell Johnson
David Hurt
David Cundiff
Charles Wagner
Leland Mitchell
Bobby Thompson

OTHERS PRESENT: Richard E. Huff, II, County Administrator
B. J. Jefferson, County Attorney
Christopher Whitlow, Asst. Co. Administrator
Larry Moore, Asst. Co. Administrator
Sharon K. Tudor, CMC, Clerk

Richard E. Huff, II, County Administrator, called the meeting to order.

Invocation was given by Supervisor Charles Wagner.

Pledge of Allegiance was led by Supervisor Wayne Angell.

CHAIRPERSON NOMINATIONS

Richard E. Huff, County Administrator, opened the floor for nominations for Board Chairman for 2009.

Wayne Angell Nominated Charles Wagner

(RESOLUTION #01-01-2009)
BE IT THEREFORE RESOLVED by the Board to appoint Charles Wagner as 2009 Chairman to the Board of Supervisors.
MOTION BY: Wayne Angell
SECONDED BY: Leland Mitchell
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

VICE-CHAIRPERSON NOMINATIONS

Chairman Wagner opened the floor for Vice-Chairman for 2009.

Leland Mitchell Nominated Wayne Angell

(RESOLUTION #02-01-2009)
BE IT THEREFORE RESOLVED by the Board to appoint Wayne Angell as the 2009 Vice-Chairman.
MOTION BY: David Cundiff
SECONDED BY: Russ Johnson
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

BOARD MEETING DATES

All County residents are hereby encouraged to attend public meetings of the Franklin County Board of Supervisors. To facilitate this public participation, the Board will meet on the following dates and times in **2009**

ADOPTED MEETING DATES FOR 2009

All County residents are hereby encouraged to attend public meetings of the Franklin County Board of Supervisors. To facilitate this public participation, the Board will meet on the following dates and times in **2009**.

- Tuesday, January 20th, 2009 @ 1:30 P.M.
- Tuesday, January 27th, 2009 @ 6:00 P.M.
- Tuesday, February 17th, 2009 @ 1:30 P.M.
- Tuesday, February 24th, 2009 @ 6:00 P.M.
- Tuesday, March 17th, 2009 @ 1:30 P.M.
- Tuesday, March 24th, 2009 @ 6:00 P.M.
- Tuesday, April 21st, 2009 @ 1:30 P.M.
- Tuesday, April 28th, 2009 @ 6:00 P.M.

Tuesday, May 19th, 2009 @ 1:30 P.M.
Tuesday, May 26th, 2009 @ 6:00 P.M.
Tuesday, June 16th, 2009 @ 1:30 P.M.
Tuesday, June 23rd, 2009 @ 6:00 P.M.
Tuesday, July 21st, 2009 @ 1:30 P.M.
Tuesday, July 28th, 2009 @ 6:00 P.M.
Tuesday, August 18th, 2009 @ 1:30 P.M.
Tuesday, August 25th, 2009 @ 6:00 P.M.
Tuesday, September 15th, 2009 @ 1:30 P.M.
Tuesday, September 22nd, 2009 @ 6:00 P.M.
Tuesday, October 20th, 2009 @ 1:30 P.M.
Tuesday, October 27th, 2009 @ 6:00 P.M.
Tuesday, November 17th, 2009 @ 1:30 P.M.
Tuesday, November 24th, 2009 @ 6:00 P.M.
Tuesday, December 15th, 2009 @ 1:30 P.M.

All meetings will be held in the Franklin County Board of Supervisors Meeting Room in the Courthouse, Rocky Mount Virginia unless otherwise duly noticed. All interested parties are encouraged to attend. Any person with a disability who needs accommodations to fully participate in public hearings should notify Sharon K. Tudor, CMC, Clerk, 70 East Court Street, Suite 301, Rocky Mount, Virginia 24151 and telephone, (540) 483-3032 at least 7 days prior to the hearings.

(RESOLUTION #03-01-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to approve the aforementioned listing meeting dates and time schedule for the Board of Supervisors meetings during 2009:

MOTION BY: David Hurt
SECONDED BY: Charles Wagner
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

2009 HOLIDAY SCHEDULE FOR COUNTY EMPLOYEES

Friday, January 16 th , 2009	Lee Jackson Day
Monday, January 19 th , 2009	Martin Luther King, Jr. Day
Monday, February 16 th , 2009	Presidents' Day
Monday, May 25 th , 2009	Memorial Day
Friday, July 3 rd , 2009	Independence Day
Monday, September 7 th , 2009	Labor Day
Monday, October 12 th , 2009	Columbus Day
Wednesday, November 11 th , 2009	Veterans Day
Thursday, November 26 th , 2009	Thanksgiving Day
Friday, November 27 th , 2009	Thanksgiving Friday
Friday, December 25 th , 2009	Christmas Day
Friday, January 1 st , 2010	New Year's Day

(RESOLUTION #04-01-2009)

BE IT THEREFORE RESOLVED by the Board to approve the aforementioned holiday listing for **2009** plus any changes made by the Governor during the year for State employees.

MOTION BY: Russ Johnson
SECONDED BY: David Cundiff
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

BOARD RULES OF PROCEDURE

**FRANKLIN COUNTY BOARD OF SUPERVISORS
RULES OF PROCEDURE**

The following Rules of Procedure are adopted by the Franklin County Board of Supervisors to enable the Board to discharge its duties and responsibilities effectively and efficiently and to facilitate the exercise of its authority and powers in the Code of Virginia. It is the Board's intent to generally follow Robert's Rules of Order (Newly Revised, 10th Edition) unless superseded by state law or Board practice.

1. ORGANIZATIONAL MEETING

The Board shall elect a chairman and vice chairman at the Board's Organizational Meeting to be held on the first business day of January. Terms for chairman and vice chairman shall be for a one (1) year term.

2. REGULAR MEETINGS

The Board of Supervisors shall adopt a schedule of the times, dates, and places of its regular meetings, for each calendar year, at its organizational meeting. Should the Board's regular meeting day fall on a County holiday, the meeting will be held on the next business day following the holiday.

3. SPECIAL MEETINGS

The Board may hold special meetings by establishing a special meeting date, time, place and an agenda for said meeting at a regular meeting. The Clerk shall post and publish notice of the special meeting in accordance with the Virginia Freedom of Information Act, §2.2-3707 VA Code Ann., not less than three (3) days prior to the day of the special meeting.

A Called Meeting may be convened when called by the chairman or requested by two or more of the members of the board of supervisors. The call or request shall be made to the clerk, and shall specify the matters to be considered at the meeting. Upon receipt of such call or request, the clerk of the governing body, after consultation with the chairman, shall immediately notify each member of the governing body and the attorney for the county in writing delivered in person or to his place of residence or business to attend such meeting at the time and place stated in the notice. Such notice shall specify the matters to be considered at the meeting. No matter not specified in the notice shall be considered at such meeting, unless all members are present. The notice may be waived if all members of the governing body attend the special meeting or sign a waiver.

4. VOTING

Motions properly made cannot die for lack of a second and shall be voted on as though they had been seconded.

5. REQUEST FOR FUNDS OUTSIDE OF NORMAL BUDGET CYCLE

Whenever any delegation or individual shall make a request or appeal for County funds for the benefit of an outside or non-County agency or program, the following guidelines shall be followed.

A. Budget Preparation Calendar.

Whenever possible, the request shall be submitted in accordance with the budget preparation calendar.

B. Explanation and Background.

Any such request shall be accompanied by a brief narrative explanation of the request and background as needed.

C. Carry-over of Requests.

If it is not possible to utilize the annual budget preparation calendar, the request shall be carried over to the next regular meeting following introduction to the Board.

D. Waiver of Carry-over.

Waiver of the carry-over period shall be granted if the request is considered an emergency by the majority of the Board, or for any reason if approved unanimously by all Board members.

E. Emergency.

Emergency is defined as an unforeseen circumstance or combination of circumstances that calls for immediate action to secure and protect the health, safety and general welfare of the inhabitants of Franklin County.

6. CITIZEN COMMENT PERIOD

Any citizen of the County that wishes to address the Board on any topic may do so by calling the Board Clerk's Office one (1) week in advance of the meeting and requesting that their name and topic be added to the agenda. Walk-ins will be allowed to speak if time is available under the same conditions. The citizen will be granted 3 minutes to present their issue and if the Board wishes to schedule further time, may direct staff to place the subject on the next available agenda. Only one person per side (position), per topic will be allowed to speak under the Citizen Comment Period per Meeting. A total of 15 minutes will be allowed for Citizen's Comments on the agenda. Public Comments will be received by the Board during the 3rd Tuesday meeting at 1:30 P.M., and at 6:00 p.m. at the 4th Tuesday meeting prior to public hearings unless a citizen can clearly demonstrate that an earlier time is necessary. **(Amended/Resolution # 21-06-20096 & # 07-01-2009)**

7. MOTIONS TO RECONSIDER

Motions to reconsider an action by the Board must be made by a member of the Board who previously voted with the prevailing side when the reconsidered motion was originally voted on. Since a second is not required, any member may second the motion to reconsider and the motion shall be decided by a majority vote of the members present.

8. PLACING OF AGENDA ITEMS

The County Administrator, based on input from the Board, shall develop the agenda for each meeting.

Individual Board members who wish to address the Board on a topic may do so under "Other Matters from Supervisors". If the Board wishes to investigate a topic further, it can direct staff to place the topic on a future agenda, bring back a staff report with the appropriate research, or take action as it see fit.**(Amended/Resolution #07-01-2009)**

9. PUBLIC HEARINGS

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views at public hearings and to treat all speakers equally and with courtesy. While it is often necessary to have a presentation by an applicant or staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations shall be as brief as possible.

Each speaker shall be limited to three minutes unless speaking for a larger group in which case, 5 minutes shall be allotted.

Speakers shall direct their presentations/comments/questions to the Board and not the audience.

10. APPOINTMENTS TO BOARDS AND COMMISSIONS

County staff shall maintain an up to date listing of available vacancies on Boards and Commissions and shall publish such list to the County's web site and make available in the Office of the County Administrator. 60 days in advance of scheduled vacancies, staff shall make the Board aware of upcoming vacancies and shall advertise such vacancies throughout the County. All candidates shall be required to complete a County application to serve on a Board or Commission and applications shall be distributed to the Board as soon as is practical.

Supervisor Russ Johnson requested the Board Rules of Procedure be revisited during a Board Retreat the coming year.

(RESOLUTION #05-01-2009)

BE IT THEREFORE RESOLVED by the Board to approve the Board's Rules of Procedure for 2009 as submitted.

MOTION BY: Russ Johnson
SECONDED BY: Bobby Thompson
VOTING ON THE MOTION WAS AS FOLLOWS:
AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

Chairman Wagner recessed the meeting for the previously advertised public hearing:

PUBLIC NOTICE
CHAPTER 20-3: INTEREST ON UNPAID TAXES PUBLIC HEARING

The Franklin County Board of Supervisors will hold a public hearing at approximately **4::00 P.M.**, on **Tuesday, January 5th, 2009**, in the Meeting Room located in the Courthouse, Rocky Mount, Virginia to consider the following proposed amendment to **Chapter 20-3: Interest on Unpaid Taxes** of the Franklin County Code:

ORDINANCE AMENDING CHAPTER 20-3: INTEREST ON UNPAID TAXES

Any taxes due to Franklin County, whether such taxes be real property taxes or personal property taxes, which become delinquent on or after December 6, 2008 for the 2008 and subsequent tax years shall accrue interest as set out in Section 20-3 of the Franklin County Code beginning July 1st of the year following the due date of the delinquent taxes.

(RESOLUTION #06-01-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to adopt the proposed amendment to Chapter 20-3 as advertised, retroactive to December 31, 2008.

MOTION BY: Russ Johnson

SECONDED BY: David Cundiff

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

Chairman Wagner shared with the Board a letter from Lavada Robertson regarding House Bill No. 1588. Mr. Wagner advised the Board House Bill 1588 relates to health insurance coverage for autism spectrum disorder. Chairman Wagner requested Board support. The Board concurred with House Bill 1588 and requested the County Administrator to forward a letter of support to the appropriate legislators.

CLOSED MEETING

(RESOLUTION #07-01-2009)

BE IT THEREFORE RESOLVED, by the Board of Supervisors to into a closed meeting in accordance with 2.2-3711, a-3, Acquisition of Property, of the Code of Virginia, as amended.

MOTION BY: David Cundiff

SECONDED BY: David Hurt

VOTING ON THE MOTION WAS AS FOLLOWS:

AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

MOTION: David Cundiff

SECOND: David Hurt

RESOLUTION: #08-01-2009

MEETING DATE January 5, 2009

WHEREAS, the Franklin County Board of Supervisors has convened an closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act: and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this Franklin County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Franklin County Board of Supervisors.

VOTE:

AYES: Mitchell, Hurt, Cundiff, Angell, Johnson, Thompson & Wagner

NAYS: NONE

ABSENT DURING VOTE: None

ABSENT DURING CLOSED SESSION: None

Chairman Wagner adjourned the meeting.

CHARLES WAGNER, CHAIRMAN
CHAIRMAN

RICHARD E. HUFF, II
COUNTY ADMINISTRATOR